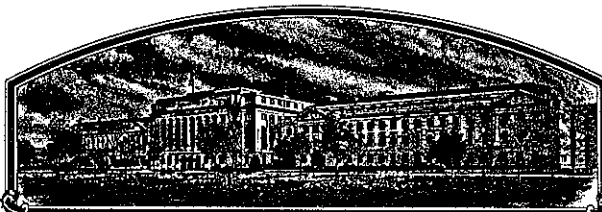


No.

8500175



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

King Grain U.S.A., Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (T. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'KG60'



In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington, D. C.
this 30th day of May in
the year of our Lord one thousand nine
hundred and eighty-six.

Attest:

Kenneth H. Egan
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Richard E. Lyng
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION

FORM APPROVED: OMB NO. 0581-0055

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) KING GRAIN U.S.A., Inc.		2. TEMPORARY DESIGNATION KG2007		3. VARIETY NAME KG60	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) 719 Center St., East Aurora, N.Y., U.S.A. 14052		5. PHONE (Include area code) (716)655-1310		FOR OFFICIAL USE ONLY PVPO NUMBER 8500175	
6. GENUS AND SPECIES NAME Glycine max		7. FAMILY NAME (Botanical) Leguminosae		FILING DATE 7/1/85 TIME 2:30 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	
8. KIND NAME Soybeans		9. DATE OF DETERMINATION 1981		FEE RECEIVED AMOUNT FOR FILING \$ 1,800 DATE 7/1/85 AMOUNT FOR CERTIFICATE \$ 200. DATE 4/23/86	
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Corporation				12. DATE OF INCORPORATION December 10, 1982.	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION New York					

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS
Bernard M. Leese, Jr.,
Underwood Agribusiness Assoc.,
210 Kimblewick Dr.,
Silver Spring, MD., U.S.A. 20904
Telephone # (301)622-3757
Telex: 296415

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED

- a. ☒ Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
b. ☒ Exhibit B, Novelty Statement
c. ☒ Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
d. ☐ Exhibit D, Additional Description of the Variety

EXHIBIT E, OWNERSHIP STATEMENT N/S

15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act.)
☐ Yes (If "Yes," answer items 16 and 17 below) ☒ No

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
☐ Yes ☒ No

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?
☐ Foundation ☐ Registered ☐ Certified

18. DID THE APPLICANT(S) FILE FOR PROTECTION OF THE VARIETY IN THE U.S.?
☐ Yes (If "Yes," give date)
☒ No

19. HAS THE VARIETY BEEN OFFERED FOR SALE OR MARKETING IN THE U.S. OR OTHER COUNTRIES?
☐ Yes (If "Yes," give names of countries and dates)
☒ No

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT
King Grain U.S.A., Inc. per B. Leese
DATE
May 29, 1985

SIGNATURE OF APPLICANT
DATE

EXHIBIT 'A'

Origin and Breeding History of the Variety

- 1) KG60 (KG2007) was developed by King Grain Limited, Chatham, Ontario. This variety originated from a hand-pollinated cross of Premier x BK22-1-3 made in 1977. The F₁, F₂, F₅ and F₆ generations were grown in Ontario and the F₃ and F₄ grown in Belize, Central America. Early generations were advanced using a modified single seed descent technique. KG60 was F₆ derived and was yield tested in 1982-84.
- 2) In 1981, rows conforming to a standard were harvested and bulked to commence yield testing in private trials in 1982. The genetic make-up of the variety was uniform and stable in subsequent generations. Buff variants have been recorded in the variety in the order of 1-1.5%.
- 3) KG60 has been in official yield trials since 1983. See attached.

8500175

EXHIBIT 'B'

Novelty Statement

Novelty is based on the unique combination of the following characters:

KG60 is most similar to Hodgson except KG60 is three days earlier, 12 cm shorter, 2.6 grams per 100 seeds heavier and its yield is 13.7% more than Hodgson.

Official Ontario Trials

1983-1984

Entry	Maturity (days)	Plant Ht.(cm)	100 Seed Wt. (gm)	Yield (kg/ha)
KG60(KG2007)	113	74	19.0	3414
Hodgson	116	86	16.4	3002

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
SOYBEAN (*Glycine max* L.)

NAME OF APPLICANT(S) King Grain U.S.A., Inc.	TEMPORARY DESIGNATION KG2007	VARIETY NAME KG60
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) 719 Center St., East Aurora, N.Y., U.S.A. 14052.		FOR OFFICIAL USE ONLY PVPO NUMBER 8500175

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g.,). Starred characters ★ are considered fundamental to an adequate soybean variety description. Other characters should be described when information is available.

1. SEED SHAPE:



1 = Spherical (L/W, L/T, and T/W ratios = < 1.2)
3 = Elongate (L/T ratio > 1.2; T/W = < 1.2)

2 = Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)
4 = Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

★ 2. SEED COAT COLOR: (Mature Seed)

1 = Yellow

2 = Green

3 = Brown

4 = Black

5 = Other (Specify) _____

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

1 = Dull ('Corsoy 79'; 'Braxton')

2 = Shiny ('Nebsoy'; 'Gasoy 17')

★ 4. SEED SIZE: (Mature Seed)

Grams per 100 seeds

★ 5. HILUM COLOR: (Mature Seed)

1 = Buff

2 = Yellow

3 = Brown

4 = Gray

5 = Imperfect Black

6 = Black

7 = Other (Specify)

light buff

★ 6. COTYLEDON COLOR: (Mature Seed)

1 = Yellow

2 = Green

★ 7. SEED PROTEIN PEROXIDASE ACTIVITY:

1 = Low

2 = High

★ 8. SEED PROTEIN ELECTROPHORETIC BAND:

1 = Type A (SP1^a)2 = Type B (SP1^b)

★ 9. HYPOCOTYL COLOR:

1 = Green only ('Evans'; 'Davis')

2 = Green with bronze band below cotyledons ('Woodworth'; 'Tracy')

3 = Light Purple below cotyledons ('Beeson'; 'Pickett 71')

4 = Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

★ 10. LEAFLET SHAPE:

1 = Lanceolate

2 = Oval

3 = Ovate

4 = Other (Specify) _____

11. LEAFLET SIZE:

☐ 11 = Small ('Amsoy 71'; 'A5312')
3 = Large ('Crawford'; 'Tracy')

2 = Medium ('Corsoy 79'; 'Gasoy 17')

12. LEAF COLOR:

☐ 21 = Light Green ('Weber'; 'York')
3 = Dark Green ('Gnome'; 'Tracy')

2 = Medium Green ('Corsoy 79'; 'Braxton')

★ 13. FLOWER COLOR:

☐ 2

1 = White

2 = Purple

3 = White with purple throat

★ 14. POD COLOR:

☐ 1

1 = Tan

2 = Brown

3 = Black

★ 15. PLANT PUBESCENCE COLOR:

☐ 2

1 = Gray

2 = Brown (Tawny)

16. PLANT TYPES:

☐ 11 = Slender ('Essex'; 'Amsoy 71')
3 = Bushy ('Gnome'; 'Govan')

2 = Intermediate ('Amcor'; 'Braxton')

★ 17. PLANT HABIT:

☐ 3

1 = Determinate ('Gnome'; 'Braxton')

2 = Semi-Determinate ('Will')

3 = Indeterminate ('Nebsoy'; 'Improved Pelican')

★ 18. MATURITY GROUP:

☐ 0 ☐ 41 = 000
9 = VI2 = 00
10 = VII3 = 0
11 = VIII4 = I
12 = IX5 = II
13 = X

6 = III

7 = IV

8 = V

★ 19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

BACTERIAL DISEASES:

★

☐ 1Bacterial Pustule (*Xanthomonas phaseoli* var. *sojensis*)

★

☐ 1Bacterial Blight (*Pseudomonas glycinea*)

★

☐ 1Wildfire (*Pseudomonas tabaci*)

FUNGAL DISEASES:

★

☐ 1Brown Spot (*Septoria glycines*)Frogeye Leaf Spot (*Cercospora soja*)

★

☐ 1

Race 1

☐ 1

Race 2

☐ 1

Race 3

☐ 1

Race 4

☐ 1

Race 5

☐

Other (Specify)

☐ 0Target Spot (*Corynespora cassicola*)☐ 1Downy Mildew (*Peronospora trifoliorum* var. *manshurica*)☐ 0Powdery Mildew (*Microsphaera diffusa*)

★

☐ 1Brown Stem Rot (*Cephalosporium gregatum*)☐ 0Stem Canker (*Diaporthe phaseolorum* var. *caulivora*)

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

- ★ ☒ 1 Pod and Stem Blight (*Diaporthe phaseolorum* var; *sojae*)
- ☒ 2 Purple Seed Stain (*Cercospora kikuchii*)
- ☒ 1 Rhizoctonia Root Rot (*Rhizoctonia solani*)
- Phytophthora Rot (*Phytophthora megasperma* var. *sojae*)
- ★ ☒ 1 Race 1 ☒ 1 Race 2 ☒ 1 Race 3 ☒ 1 Race 4 ☒ 1 Race 5 ☒ 1 Race 6 ☒ 1 Race 7
- ☒ 1 Race 8 ☒ 1 Race 9 ☐ Other (Specify) _____

VIRAL DISEASES:

- ☒ 0 Bud Blight (Tobacco Ringspot Virus)
- ☒ 0 Yellow Mosaic (Bean Yellow Mosaic Virus)
- ★ ☒ 1 Cowpea Mosaic (Cowpea Chlorotic Virus)
- ☒ 0 Pod Mottle (Bean Pod Mottle Virus)
- ★ ☒ 1 Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

- Soybean Cyst Nematode (*Heterodera glycines*)
- ★ ☒ 1 Race 1 ☒ 1 Race 2 ☒ 1 Race 3 ☒ 1 Race 4 ☐ Other (Specify) _____
- ☒ 0 Lance Nematode (*Hoplolaimus Colombus*)
- ★ ☒ 1 Southern Root Knot Nematode (*Meloidogyne incognita*)
- ★ ☒ 1 Northern Root Knot Nematode (*Meloidogyne Hapla*)
- ☒ 0 Peanut Root Knot Nematode (*Meloidogyne arenaria*)
- ☒ 0 Reniform Nematode (*Rotylenchulus reniformis*)
- ☐ OTHER DISEASE NOT ON FORM (Specify): _____

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

- ★ ☒ 1 Iron Chlorosis on Calcareous Soil
- ☐ Other (Specify) _____

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

- ☒ 0 Mexican Bean Beetle (*Epilachna varivestis*)
- ☒ 0 Potato Leaf Hopper (*Empoasca fabae*)
- ☐ Other (Specify) _____

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	Hodgson	Seed Coat Luster	Hodgson
Leaf Shape	"	Seed Size	"
Leaf Color	"	Seed Shape	"
Leaf Size	"	Seedling Pigmentation	"

23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY: Paired Comparison Data

VARIETY	NO. OF DAYS MATURITY	PLANT LODGING SCORE	CM PLANT HEIGHT	LEAFLET SIZE		SEED CONTENT		SEED SIZE G/100 SEEDS	NO. SEEDS/POD
				CM Width	CM Length	% Protein	% Oil		
Submitted	113	1.5	74	6	10.5	40.4	20.1	19.0	2.5
Name of Similar Variety	116	1.6	86	7	11.0	40.1	21.4	16.4	2.5

PUBLICATIONS USEFUL AS REFERENCE AIDS FOR COMPLETING THIS FORM:

1. Caldwell, B.E., ed. 1973. Soybeans: Improvement, Production, and Uses. Amer. Soc. Agron. Monograph No. 16.
2. Buttery, B.R. and R.I. Buzzell. 1968. Peroxidase activity in seeds of soybean varieties. Crop Sci., 8: 722-725.
3. Hymowitz, T. 1973. Electrophoretic analysis of SBTi-A₂ in the USDA soybean germplasm collection. Crop Sci., 13: 420-421.
4. Payne, R.C. and L.F. Morris. 1976. Differentiation of soybean cultivars by seedling pigmentation patterns. J. Seed Technol. 1: 1-19.

RECEIVED

JUL 1 1985

U. S. DEPARTMENT



OF AGRICULTURE

AMS

PVPO

8500175

EXHIBIT E

STATEMENT OF THE BASIS OF THE APPLICANT'S OWNERSHIP

SOYBEAN: 'KG 60'

PV No.

KING GRAIN, U.S.A., INC.

July 1, 1985

The variety for which Plant Variety Protection is sought was developed by Dr. N.R. Bradner an employee of King Grain. By agreement between the stated parties, all rights to the soybean variety 'KG60' were assigned to King Grain and no rights to 'KG60' are retained by the employee.



AGREEMENT

Agreement, as of the 1st day of August, 1983, between KING GRAIN U.S.A. INC., A New York corporation (hereinafter referred to as "USA"), And KING GRAIN LIMITED, a Canadian corporation (hereinafter referred to as "Limited").

WHEREAS, Limited is engaged in the breeding and development of certain cultivars of crop species, a list of which is annexed hereto as Exhibit "A" and made a part hereof (hereinafter referred to as the "Cultivars"); and

WHEREAS, the parties anticipate that Limited will breed and develop additional cultivars of crop species; and

WHEREAS, USA desires to market the Cultivars and said additional cultivars in the United States with full protection under the United States Plant Variety Protection Act (hereinafter referred to as the "USPVPA"); and

WHEREAS, USA desires to purchase and Limited desires to sell all ownership rights in the Cultivars and said additional cultivars.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements contained herein, and other good and valuable consideration, the parties hereto hereby agree as follows:

1. Purchase and Sale of the Cultivars.

Upon the terms and conditions herein set forth, Limited does sell, transfer, convey and assign the Cultivars to USA, and USA does purchase and acquire the Cultivars from Limited, in exchange for the consideration set forth in Paragraph 2 of this Agreement.

2. Consideration.

Application for Plant Variety Protection. USA shall apply for plant variety protection of the Cultivars under the USPVPA and shall take all reasonably necessary or appropriate action to secure plant variety protection of the Cultivars under the USPVPA.

3. Additions to this Agreement. USA and Limited agree that, from time to time, additional cultivars may be added to the coverage of this Agreement. In order to effect said additional coverage, USA and Limited shall execute a supplement to this Agreement in the form annexed hereto as Exhibit "B", which shall specifically refer to this Agreement. Said supplement shall describe each additional cultivar in sufficient detail so as to properly identify each cultivar to be added to the coverage of this Agreement. Upon execution by both parties of said supplement, each additional cultivar shall be deemed to have been sold by Limited to USA in accordance with the terms and conditions of Paragraph 1 of this Agreement, for the consideration set forth in Paragraph 2 of this Agreement.

4. Miscellaneous.

(a) Binding Effect. This Agreement states the entire understanding of the parties and shall be binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns. Deviation from the terms of this Agreement shall be permitted only by the mutual written consent of the parties.

(b) Applicable Law. This Agreement shall be construed in accordance with the laws of the State of New York.

(c) Usage and Headings. The paragraph headings herein are for convenience only and shall not affect the construction hereof.

(d) Venue. Any litigation relating hereto shall take place in the State of New York, Supreme Court, County of Erie.

IN WITNESS WHEREOF, the undersigned have duly executed this Agreement as of the day and year first above written.

KING GRAIN U.S.A. INC.

Per: 

Paul A. King, President

KING GRAIN LIMITED

Per: 

Paul A. King, President

SUPPLEMENT

KING GRAIN U.S.A. INC., and KING GRAIN LIMITED hereby agree that the following cultivars shall be added to and be incorporated into a certain agreement dated as of the 1st day of August, 1983 between King Grain U.S.A. Inc. and King Grain Limited (the "Agreement").

Name of Cultivar

KG 60

Description of Cultivar

Variety of Glycine Max

Experimental No. KG2007

The parties hereby agree that all other items and conditions of the Agreement are to remain unchanged.

IN WITNESS WHEREOF, the undersigned have duly executed this Agreement as of the 29th day of May, 1985.

KING GRAIN U.S.A. INC.

Per: 

Paul A. King, President

KING GRAIN LIMITED

Per: 

Paul A. King, President

EXHIBIT B

